



ty. Docket No. 032481.P001C

copy

PETITION TO MAKE SPECIAL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mukesh K. Patel, et al.

Application No.: 09/938,886

Filing Date: August 24, 2001

For: JAVA VIRTUAL MACHINE
HARDWARE FOR RISC AND
CISC PROCESSORS

) Examiner: Unassigned
) Art Unit: 2122
)

) FIRST CLASS CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))
) I hereby certify that this correspondence is being deposited with the
) United States Postal Service as first class mail with sufficient postage
) in an envelope addressed to Commissioner for Patents, P.O. Box 1450,
) Alexandria, VA 22313-1450 on:

) October 3, 2003
) (Date of Deposit)
)

) Karen L. Kuhner
) (Name of Person Mailing Correspondence)
)

) *Karen L. Kuhner* 10-3-2003
) (Signature) (Date)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Examiner:

Applicants hereby petition under 37 CFR §1.102(d) to advance out of turn or expedite the processing of the above-identified patent application.

This petition is accompanied by:

- 1) A Statement by the Applicants as required by MPEP § 708.02, II.

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The petition fee of \$130.00 is included herewith. If there are any additional charges, please charge them to Deposit Account Number 02-2666. If a telephone conference would facilitate the processing of this petition, the Examiner is invited to contact Vani Moodley at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Date: October 1, 2003

James H. Salter
Reg. No. 35,668

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Seventh Floor
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STATEMENT UNDER MPEP § 708.02, II

Sir:

I, Mukesh K. Patel, hereby declare:

- 1) I am an Applicant named in U.S. Patent Application No. 09/938,886, filed on August 24, 2001.
- 2) I have instructed my patent attorneys, Blakely, Sokoloff, Taylor & Zafman, LLP, to file a Petition to Make Special Under 37 CFR § 1.102(d);

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- 3) I am aware of an infringing device or product actually on the market or method in use;
- 4) A rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and in my opinion, some of the claims are unquestionably infringed; and
- 5) I have made a careful and thorough search of the prior art and have good knowledge of the pertinent prior art.

I have enclosed herewith one copy of references deemed most closely related to the subject matter encompassed by the claims.

Mukesh K. Patel
President and CEO, Nazomi Communications, Inc.

Date